



Attorney Docket No.: N9556-MJP

Customer No. 23456

DECLARATION AND POWER OF ATTORNEY

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; that

I believe I am the original, first and sole inventor of the invention entitled "Sealed Well Direct Expansion Heating and Cooling System, an Optional Geothermal Heating and Cooling System Solar Heating Supplement, and an Optional Geothermal Heating and Cooling System Water Cooled Supplement" described and claimed in the specification which was filed on July 10, 2003 as Application Serial No. 10/616,701.

I have reviewed and understand the contents of the specification, including the claims, in the above-referenced application, as amended by any amendment specifically referred to in the Declaration.

I acknowledge my duty pursuant to 37 C.F.R. §1.56 to disclose information of which I am aware which is material to the patentability of this application.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

None.

I hereby claim priority benefits under Title 35, United States Code, §119(e) of any United States Provisional application(s) listed below.

Title of Prior Application: Deep Well Direct Expansion Heating/Cooling
System

Application Serial No. 60/439,831

Filing Date of Prior Application: January 14, 2003

Title of Prior Application: Deep Well/Long Trench Expansion Heating
and Cooling System

Application Serial No. 60/456,335

Filing Date of Prior Application: March 20, 2003

Title of Prior Application: Deep Well/Long Trench Direct Expansion
Heating/Cooling System and Retrofit Design

Application Serial No. 60/471,585

Filing Date of Prior Application: May 19, 2003

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing

date of the prior application and the national or PCT international filing date of this application:

Title of Prior Application: Deep Well Direct Expansion Heating/Cooling System

Application Serial No. 60/439,831

Filing Date of Prior Application: January 14, 2003

Title of Prior Application: Deep Well/Long Trench Expansion Heating and Cooling System

Application Serial No. 60/456,335

Filing Date of Prior Application: March 20, 2003

Title of Prior Application: Deep Well/Long Trench Direct Expansion Heating/Cooling System and Retrofit Design

Application Serial No. 60/471,585

Filing Date of Prior Application: May 19, 2003

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false

statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorneys and agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

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Attorney Docket No.: N9556-MJP
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January 8, 2004

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